

FILED

MAY 27 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

DIANE MEEHAN, R.N.
License No. 26NO08054000

TO PRACTICE NURSING
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about August 29, 2013, the Board sent a letter of inquiry to Respondent by certified and regular mail, asking for information about an arrest that had occurred on August 16, 2013 on a charge of simple assault. Respondent was asked to submit a copy of the municipal court complaint, documentation of the disposition of the arrest, a copy of the Police Report, current nursing employment information, a narrative statement explaining the facts and circumstances that led to the arrest, and for documentation of all continuing education completed in the last three years.
3. The certified mailing was returned as "Unclaimed." The regular mailing was not returned.

4. On September 20, 2013, the Board received a letter from Respondent's attorney, Marc D'Arienzo, Esq., advising that he is the attorney of record in the criminal matter and that Respondent would plead not guilty. Copies of the Police Report and/or Complaint were not provided; nor was a narrative statement of the facts and circumstances of the arrest.

5. On August 12, 2013, proof of Respondent's completion of 30 CEU's on August 6, 2013 was received.

CONCLUSIONS OF LAW

1. Respondent's failure to respond fully to the Board inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3.

2. Respondent's failure to document timely completion of the required thirty contact hours of continuing education for the June 1, 2011 – May 31, 2013 renewal period constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension and a five hundred dollar (\$500) civil penalty was entered on January 27, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent responded to the Provisional Order of Discipline by providing the information requested in the Board's original letter of inquiry from August 2013. Respondent provided documentation that the arrest involved a domestic violence situation with her son. She has since

obtained a restraining order to prevent her son from coming to her house or place of employment. As for her arrest for simple assault, she was ultimately found guilty of the downgraded charge of loitering. As to continuing education, Respondent acknowledged that she did not complete the required thirty hours of continuing education within the June 1, 2011 – May 31, 2013 because she was preoccupied with taking care of her parents. She completed thirty hours of continuing education in August 2013 and may use those hours to make up for the hours that she did not complete within the biennial renewal period. Those hours, however, may not also be used to satisfy the requirements of the June 1, 2013 – May 31, 2015 period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty. Additionally, Respondent's failure to complete the required continuing education within the two year biennial renewal period warrants imposition of a two hundred and fifty dollar (\$250) civil penalty.

ACCORDINGLY, IT IS on this 27th day of May, 2014,
ORDERED that:

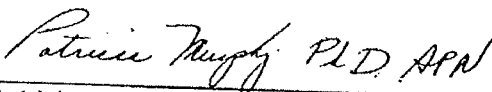
1. A five hundred dollar (\$500) civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3, as well as a civil penalty in the amount of two hundred and fifty dollars (\$250) for the failure to timely complete continuing education requirements in violation of N.J.A.C. 13:37-5.3, for a total penalty amount of seven hundred and fifty dollars (\$750). Payment shall be

made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. Continuing education hours completed after May 31, 2013 and applied to cure the deficiency of a previous biennial period shall not be used to satisfy the requirements of the current biennial period. Respondent shall complete an additional thirty hours of continuing education before May 31, 2015 to satisfy the requirements of the current biennial period.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, Ph.D., APN
Board President